

ESTTA Tracking number: **ESTTA573303**

Filing date: **11/26/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91212968
Party	Plaintiff Beachbody, LLC
Correspondence Address	Camille M. Miller Cozen O'Connor 1900 Market StreetThird Floor Philadelphia, PA 19103 UNITED STATES cmiller@cozen.com, cbranka@cozen.com, efeatherman@cozen.com, hdiamond@cozen.com
Submission	Other Motions/Papers
Filer's Name	Camille M. Miller
Filer's e-mail	cmiller@cozen.com, efeatherman@cozen.com, hdiamond@cozen.com, cbranka@cozen.com
Signature	/Camille M. Miller/
Date	11/26/2013
Attachments	Corrective Certificate of Service.pdf(384010 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BEACHBODY, LLC,)	
)	Opposition No.: 91212968
Opposer,)	
)	Serial No.: 85769769
v.)	
)	Mark: PPX
VEERAMANI ASOKARAJ,)	
SURINDER ASOKARAJ,)	
SUBITHA ASOKARAJ,)	
NITHILA ASOKARAJ)	
)	
Applicants.)	

**Opposer's Filing of Corrective Certificate of Service for
Motion for Suspension for Settlement With Consent**

1. On Thursday November 21, 2013, Opposer, Beachbody, LLC ("Opposer") filed a Motion for Suspension for Settlement With Consent on ESTTA online behalf of itself and Applicants, Veeramani Asokaraj, Surinder Asokaraj, Subitha Asokaraj, and Nithila Asokaraj ("Applicants"). Attached hereto as Exhibit A is a copy of the Motion for Suspension for Settlement With Consent and the Certificate of Service filed therewith.

2. Opposer inadvertently omitted Applicants' attorney's email address in the Certificate of Service, and instead listed Opposer's attorneys' email addresses in its place.

3. Opposer immediately mailed a copy of the filed Motion for Suspension for Settlement With Consent to Applicants' attorney, Mr. Daniel Smith at smith@patentstrademarklaw.com, via email on November 21, 2013. As previously agreed upon, Applicants' attorney had agreed to accept service via email. Attached hereto as Exhibit B is a copy of the email enclosing the filed Motion for Suspension for Settlement With Consent dated November 21, 2013.

4. Submitted herewith as Exhibit C is a copy of the Corrective Certificate of Service showing that a copy of the filed Motion for Suspension for Settlement With Consent was mailed to Applicant's counsel on November 21, 2013 via email.

Respectfully submitted,

/Elizabeth Lai Featherman/

Date: November 26, 2013

Camille M. Miller
Elizabeth Lai Featherman
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
(215) 665-2000
Attorneys for Applicant

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the foregoing document was served via first class mail, on November 26, 2013 to counsel for Applicants:

DANIEL N. SMITH, Esq.
NEW ENGLAND PATENT & TRADEMARK
1 SALEM GRN STE 405
SALEM, MA 01970-3790
smith@patentstrademarklaw.com

Dated: November 26, 2013

/Elizabeth Lai Featherman/
Elizabeth Lai Featherman

EXHIBIT A

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Your submission has been received by the USPTO.
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ESTTA Tracking number: **ESTTA572318**Filing date: **11/21/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91212968
Applicant	Plaintiff Beachbody, LLC
Other Party	Defendant Asokaraj, Veeramani, Asokaraj, Surainder, Asokaraj, Subitha, Asokaraj, Nithila
Have the parties held their discovery conference as required under Trademark Rules 2.120(a) (1) and (a)(2)?	No

Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. Beachbody, LLC requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

Time to Answer : 12/25/2013**Deadline for Discovery Conference :** 01/24/2014

Discovery Opens :	01/24/2014
Initial Disclosures Due :	02/23/2014
Expert Disclosure Due :	06/23/2014
Discovery Closes :	07/23/2014
Plaintiff's Pretrial Disclosures :	09/06/2014
Plaintiff's 30-day Trial Period Ends :	10/21/2014
Defendant's Pretrial Disclosures :	11/05/2014
Defendant's 30-day Trial Period Ends :	12/20/2014
Plaintiff's Rebuttal Disclosures :	01/04/2015
Plaintiff's 15-day Rebuttal Period Ends :	02/03/2015

Beachbody, LLC has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Beachbody, LLC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/Camille M. Miller/

Camille M. Miller

cmiller@cozen.com, cbranka@cozen.com, efeatherman@cozen.com, hdiamond@cozen.com

cmiller@cozen.com, cbranka@cozen.com, efeatherman@cozen.com, hdiamond@cozen.com

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EXHIBIT B

Featherman, Elizabeth

From: Featherman, Elizabeth
Sent: Thursday, November 21, 2013 4:50 PM
To: Daniel Smith
Cc: Miller, Camille; Diamond, Helen; Branka, Catherine M.
Subject: US Serial No. 85769769 for PPX in IC 18 (Our Ref. No. PP-5726US/270065)
Attachments: USPTO. ESTTA.pdf

Daniel,

For your records, attached is Beachbody's consented request for a 30-day extension of time in connection with Opposition No. 91212968, on the mark PPX.

Best regards,
Elizabeth

Elizabeth Lai Featherman | Cozen O'Connor
Intellectual Property Department

1900 Market Street | Philadelphia, PA 19103 | P: 215-665-4603 | F: 215-701-2169
efeatherman@cozen.com | www.cozen.com

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Respectfully submitted,

/Camille M. Miller/

Camille M. Miller

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EXHIBIT C

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the Motion for Suspension for Settlement
With Consent was mailed on Thursday, November 21, 2013 via email to counsel for Applicants:

Daniel Smith
NEW ENGLAND PATENT & TRADEMARK
1 SALEM GRN STE 405
SALEM, MA 01970-3790
smith@patentstrademarklaw.com

Dated: November 21, 2013

By: /s/ Elizabeth Featherman

Elizabeth Featherman